

REMARKS

The present invention is a client-server system, a gaming device including games content, a server, a computer program product loadable on a terminal, a computer program product loadable on a server, and a method for downloading games content from a server to a client terminal and uploading a gameplay result from the client to the server.

The claimed invention provides a client terminal, a gaming device, and a terminal with the ability to receive games data from a server via transmission through a communication link, which may use encrypted data during an on-line connected mode session, and thereafter the client terminal, a gaming device and a terminal with the ability to play the electronic game including control of the outcome of the game during an offline disconnected mode session. The outcome of the game play offline is transmitted to the server during an on-line connected mode session. See paragraphs [0028] and [0035] of the Substitute Specification.

Off-line play by the client terminal, gaming device, and terminal using the downloaded game content from the server can be done at any time and avoids communication charges which would occur with an on-line mode of play.

Claims 18-21 and 25-36 stand rejected under 35 U.S.C. §102 as being anticipated by United States Patent 5,871,398 (Schneier et al) and claims 22-24 stand rejected as being unpatentable over Schneier et al in view of United States Patent 6,029,046 (Khan). These grounds of rejection are traversed for the following reasons.

Each of the independent claims, including newly submitted claim 37, requires in different degrees of scope that the user at the client terminal, a gaming device or terminal, controls the outcome of the game and transmits the result of the gameplay to a server in an on-line connection with the gameplay being done off-line. This subject matter has no counterpart in Schneier et al.

As is clear from Schneier et al, while off-line remote play is provided, the results of the play are determined by the central management computer CMC 12. Schneier et al describe with respect to games of skill, such as on-line golf, data is communicated to the CMC 12 from the terminal which then runs the program that computes the result of the game based upon the data from the terminal which is then transmitted back to the player. See column 21, lines 28 et seq. With games of chance, there is no interaction from the player in determining even the outcome of the game, such as the transmission of data with games of skill, in view of the results being "predetermined" at the CMC prior to play. See column 15, lines 55-58, through column 16, lines 1-4.

Moreover, there is no basis in the record why a person of ordinary skill in the art would be led to modify the teachings of Schneier et al to meet the subject matter of the independent claims and furthermore, the more specific subject matter of the dependent claims.

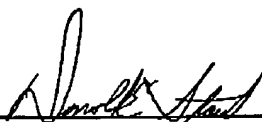
In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the

filing of this paper, including extension of time fees, to Deposit Account No.
01-2135 (40990X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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Attachments

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